

3. Remarks

The Examiner has rejected pending claims 1-20. The applicant has amended claims 1, 3, and 16. No claims have been added or cancelled.

A. Claim Rejections—35 U.S.C. § 101

The Examiner has rejected claims 16-20 as being directed to non-statutory subject matter as encompassing a human being. The applicant has amended claim 16 to clarify that it does not encompass a human being. The applicant respectfully suggests that no amendments are necessary to claims 17-20, which are each dependent upon claim 16.

The Examiner has rejected claims 1-8 as being directed to non-patentable subject matter in that they do not recite the statutory class to which they are tied or positively recite the subject matter that is being transformed. Claims 1 and 3 have been amended for purposes of clarification. The applicant respectfully suggests that no amendments are necessary to claims 2 and 4-8, which are each dependent upon claim 1.

B. Claim Rejections—35 U.S.C. § 103 (claims 1, 3-5, 7, and 9-18)

The Examiner has rejected claims 1, 3-5, 7, and 9-18 as being unpatentable over US2004/0019794 to Moradi et al. in view of U.S. 6,263,330 to Bessette. The applicant respectfully traverses this rejection for the following reasons.

Bessette is recited for teaching, at column 3, lines 57-66, a unique identifier (URL) to patient medical data. The applicant respectfully disagrees.

This section of Bessette actually teaches *pointers* that use the URL addressing system to keep track of various data about a single patient. The claimed invention is not limited to the use of pointers. Bessette also teaches that each patient record includes an “attributed identifier” that distinguishes one patient record from another, but this is quite different from a unique *prescription* identifier as set forth in the claims. The purpose of the attributed identifier of Bessette is to avoid confusion between records related to different patients, but it would be entirely unworkable to avoid confusion between individual prescriptions for a single patient. As the applicant understands the Bessette teaching, that system would, in fact, assign the same attributed identifier to *all* data related to a single patient, including all prescription data for that patient. Since each patient may—and likely does—have multiple prescriptions, this system neither teaches nor suggests a system to distinguish between prescriptions for a single patient. Thus the combination cited by the examiner would not be operable to solve the problem addressed by the claimed invention, and no combination of the cited references teaches or suggests the claimed invention. For this reason, the applicant respectfully submits that the rejected claims are allowable.

C. Claim Rejections—35 U.S.C. § 103 (claims 2, 8, and 20)

The Examiner has rejected claims 2, 8, and 20 as being unpatentable over US2004/0019794 to Moradi et al. in view of U.S. 6,263,330 to Bessette and in view of US2004/0006490 to Gingrich et al. The applicant respectfully traverses this rejection for the following reasons.

Each of claims 2, 8, and 20 are dependent upon one of the claims for which allowability was discussed above over Moradi et al. in view of Bessette. For the same reasons as presented above in connection with the claims from which these claims 2, 8, and 20 depend, the applicant respectfully submits that the rejected claims are allowable.

D. Claim Rejections—35 U.S.C. § 103 (claims 6 and 19)

The Examiner has rejected claims 6 and 19 as being unpatentable over US2004/0019794 to Moradi et al. in view of U.S. 6,263,330 to Bessette and in view of U.S. 6,973,435 to Sioufi et al. The applicant respectfully traverses this rejection for the following reasons.

Claims 6 and 19 are dependent upon one of the claims for which allowability was discussed above over Moradi et al. in view of Bessette. For the same reasons as presented above in connection with the claims from which claims 6 and 19 depend, the applicant respectfully submits that the rejected claims are allowable.

E. Conclusion

With the amendments made herein and for the reasons provided above, the applicant asserts that all claims in the application are allowable, and reconsideration and allowance is therefore requested.

Respectfully submitted,

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/chuck dougherty/

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